

**IDAHO CONTRACTORS BOARD  
Bureau of Occupational Licenses  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063**

**Board Meeting Minutes of 6/14/2016**

**BOARD MEMBERS PRESENT:** John R Pilote - Chair  
Gary R Bond  
Charles R Ellis

**BOARD MEMBERS ABSENT:** Scott Schriber  
Rebecca Ann Bowen Odom

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, General Counsel  
Eric Nelson, Board Prosecutor  
Mary Miles, Technical Records Specialist II

**OTHERS PRESENT:** Jeff Bengert, Timber Mountain Tile LLC  
Dan Scarbrough, DMLP Resources LLC  
Johnny Hausman, Dragon Construction LLC  
Sherry Biddle, Dragon Construction LLC  
David Yoder  
Dennis Schlabach  
John Miller

The meeting was called to order at 8:30 AM MDT by John R Pilote.

**APPROVAL OF MINUTES**

Mr. Bond made a motion to approve the minutes of 5/10/2016. It was seconded by Mr. Ellis. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. She said August 1<sup>st</sup> is the deadline for proposed law changes and the third week of August is the deadline for proposed rule changes to be submitted to the Governor's office for the 2017 Legislative Session. The Board does not have any proposed changes for the 2017 Legislative Session.

**FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$67,679.12 as of 5/31/2016. The Board's fee increase went into effect 3/24/2016.

## **IDAHO ASSOCIATION GENERAL CONTRACTORS EDUCATION FOUNDATION**

Kristy Watson explained to Board members the education and training opportunities that are available to contractors through We Build Idaho. The website is designed to educate people about careers in construction. The website is WeBuildIdaho.org. The website is organized around four main themes:

- Get Started.
- Get Trained.
- Get Employed.
- Parents and Educators.

### **DISCIPLINE**

Mr. Nelson presented a memorandum regarding case numbers CON-2016-39, CON-2016-37, CON-2016-38, CON-2016-36, CON-2016-91, CON-2016-35, CON-2016-57, CON-2016-63, CON-2016-75, CON-2016-77, CON-2016-84, CON-2016-99, CON-2016-86, CON-2016-49, and CON-2016-79. After discussion, the Board gave recommendations for appropriate discipline.

Mr. Ellis made a motion to close cases CON-2016-39, CON-2016-37, and CON-2016-38. It was seconded by Mr. Bond. Mr. Pilote abstained. Motion carried.

Mr. Bond made a motion to close case CON-2016-36 with a warning letter. It was seconded by Mr. Ellis. Mr. Pilote abstained. Motion carried.

Mr. Ellis made a motion to close case CON-2016-49. It was seconded by Mr. Bond. Motion carried.

Mr. Bond made a motion to close case CON-2016-79 with a warning letter. It was seconded by Mr. Ellis. Motion carried.

Mr. Nelson presented a Stipulation and Consent Order in cases CON-2016-38, CON-2016-69, CON-2016-70, CON-2016-71, CON-2016-73, CON-2016-74, CON-2016-82, CON-2016-92, CON-2016-97, and CON-2016-105. Mr. Bond made a motion to approve the Consent Orders and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Ellis. Motion carried.

Mr. Nelson presented Findings of Fact, Conclusions of Law, and Final Orders for cases CON-2016-56 and CON-2016-68.

Mr. Bond made a motion to approve the Findings of Fact, Conclusions of Law, and Final Order for CON-2016-56; to revoke the registration and authorize the Board Chair to sign. It was seconded by Mr. Ellis. Motion carried.

Mr. Bond made a motion to approve the Findings of Fact, Conclusions of Law, and Final Order for CON-2016-68; to revoke the registration and authorize the Board Chair to sign. It was seconded by Mr. Ellis. Motion carried.

Mr. Nelson presented an Emergency Suspension for case CON-2016-98. Mr. Ellis made a motion to approve the above Emergency Suspension and authorize the Board Chair to sign. It was seconded by Mr. Bond. Motion carried.

## **INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

## **FOR BOARD DETERMINATION**

Mr. Bond made a motion to approve the Bureau's recommendation and authorize closure in cases I-CON-2016-127, I-CON-2016-143, I-CON-2016-144, I-CON-2016-176, I-CON-2016-177, I-CON-2016-180, I-CON-2016-216, I-CON-2016-224, I-CON-2016-138, I-CON-2016-156, I-CON-2016-162, I-CON-2016-191, and I-CON-2016-194, I-CON-2016-146, I-CON-2016-160, I-CON-2016-161, I-CON-2016-163, I-CON-2016-171, I-CON-2016-174, I-CON-2016-178, I-CON-2016-193, I-CON-2016-197, I-CON-2016-199, I-CON-2016-200, I-CON-2016-204, I-CON-2016-205, and I-CON-2016-214. It was seconded by Mr. Ellis. Motion carried.

Mr. Bond made a motion to approve the Bureau's recommendation and authorize closure in cases I-CON-2015-153, I-CON-2015-201, I-CON-2015-211, I-CON-2015-215, I-CON-2015-217, I-CON-2015-221, I-CON-2016-27, I-CON-2016-32, I-CON-2016-42, I-CON-2016-63, I-CON-2016-69, I-CON-2016-87, I-CON-2016-94, I-CON-2016-123, I-CON-2016-131, and I-CON-2016-187. It was seconded by Mr. Ellis. Motion carried.

## **TO DO LIST**

A draft letter was presented to the Board members regarding how to handle registrations that were incorrectly issued when the contractor act went into effect.

Mr. Ellis made a motion to correct registrations that have been issued incorrectly. The registration number would remain the same; but the type designation acronym would change from RCE to RCT or vice versa. Any discipline on a registration would follow to the new registration. It was seconded by Mr. Bond. Motion carried.

Mr. Ellis made a motion to approve the draft letter regarding the registration change. It was seconded by Mr. Bond. Motion carried.

The Board reviewed the to do list and no additional action was taken.

## **EXECUTIVE SESSION**

Mr. Bond made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Ellis. The vote was: Mr. Bond, aye; Mr. Ellis, aye; and Mr. Pilote, aye. Motion carried.

Mr. Ellis made a motion to come out of executive session. It was seconded by Mr. Bond. The vote was: Mr. Bond, aye; Mr. Ellis, aye; and Mr. Pilote, aye. Motion carried.

Mr. Ellis made a motion to table applicant 901144928 for further information. It was seconded by Mr. Bond. Motion carried.

Mr. Bond made a motion to approve the following for registration:

Approved for Licensure

TIMBER MOUNTAIN TILE LLC  
DMLP RESOURCES LLC DBA ROPER BUILDINGS  
DRAGON CONSTRUCTION LLC

RCE-42047  
RCE-42129  
RCE-42180

It was seconded by Mr. Ellis. Motion carried.

### **EDUCATION IN LIEU OF FINES**

Mr. Miller presented to the Board members an option of continuing education in lieu of fines for disciplinary cases. The Board reviewed Mr. Miller's proposal and noted that continuing education is not a requirement for registration. The Board stated that it may re-visit this issue in the future and encouraged Mr. Miller to contact and work with the building contractor associations in the state to make his courses available to interested contractors. Mr. Miller advised the Board that he will make himself available should the Board wish to explore continuing education in the future.

### **NEXT MEETINGS WERE SCHEDULED FOR:**

- July 20, 2016 Conference Call at 10:00 AM.
- August 16, 2016 Conference Call at 10:00 AM.
- September 13, 2016 Face to Face Meeting at 8:30 AM.
- October 18, 2016 Conference Call at 10:00 AM.
- November 15, 2016 Face to Face Meeting at 8:30 AM.
- December 13, 2016 Conference Call at 10:00 AM.

### **NATIONAL ASSOCIATION OF STATE CONTRACTORS LICENSING AGENCIES**

Mr. Bond made a motion to not approve payment of the FY 2016-2017 NASCLA Membership Renewal. It was seconded by Mr. Ellis. Motion carried.

### **CORRESPONDENCE**

The Board members reviewed the e-mail from Laurie Fay, US Environmental Protection Agency. The Board directed the Bureau to let Ms. Fay know that the information is on the Board's website and if the EPA would like to send something to the contractors, the addresses are on the website.

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Mr. Ellis made a motion to come out of executive session. It was seconded by Mr. Bond. The vote was: Mr. Bond, aye; Mr. Ellis, aye; and Mr. Pilote, aye. Motion carried.

### **APPLICATIONS**

Mr. Ellis made a motion to approve David Begley Remodeling LLC for registration. Motion died for a lack of a second.

Mr. Bond made a motion to deny David Begley Remodeling LLC for registration based on Rule 165.02.i. It was seconded by Mr. Ellis. Motion carried.

Mr. Bond made a motion to approve the following for licensure:

Approved for Licensure

SCOTT CONCRETE AND CONSTRUCTION LLC	RCE-39661
TW TILE SETTING AND FLOORING LLC	RCE-40300
MBP CONSTRUCTION LLC	RCE-41952
PRESTIGE LANDSCAPE AND DESIGN INC	RCE-41987
HILLTOP CARPENTRY LLC	RCE-42046
ALL TRADES IDAHO LLC	RCE-42053
BIG RIVER CONSTRUCTION LLC	RCE-42142
DESTINATION HOME CLEANING LLC	RCE-42195
PRECISION CONSTRUCTION SYSTEMS LLC	RCE-42240
WHOS YOUR DADDY CONSTRUCTION LLC	RCE-42246
FINE LINE TILE AND DESIGN LLC	RCE-42267
CALIBER STAIR CLIMBERS LLC	RCE-42275
MHB CONSTRUCTION INC	RCE-42276
HAMMACK MICHAEL R	RCT-42254
LANG JACOB DANIEL	RCT-41660
LOBDELL CURTIS ROBERT	RCT-42082
LOPEZ FRANCISCO RENTERIA	RCT-42198
LUCE KRISTIAN MICHAEL	RCT-41989

It was seconded by Mr. Ellis. Motion carried.

**ADJOURNMENT**

Mr. Bond made a motion to adjourn the meeting at 12:50 PM. It was seconded by Mr. Ellis. Motion carried.

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John R Pilote, Chair

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Charles R Ellis

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Scott Schriber

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Gary R Bond

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Rebecca Odom

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Tana Cory, Bureau Chief